

A  
B I L L

TO

Amend the Congested Districts Board (Ireland) Acts. A.D. 1904.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 **1.**—(1.) Where the Congested Districts Board have, whether before or after the *passing of this Act*, purchased an estate and the tenants of holdings thereon to the extent of not less than three-fourths in number and rateable value so request, the Board may serve a notice on any tenant thereon which shall have the effect  
10 of determining his tenancy in his holding as from the date mentioned in the notice, not being less than *six months* from the service thereof.

*Provision for facilitating resale of land by Congested Districts Board.*

(2.) Every such notice shall contain an undertaking by the Board that they will within the period mentioned in that behalf in the  
15 notice, or so soon thereafter as practicable, provide the tenant with a new holding on the same, or an adjacent or neighbouring estate, subject to a rent not exceeding that payable by him for his original holding, and of not less value in respect of the land comprised in the new holding and the buildings and improvements thereon than  
20 the value of the land comprised in the former holding, and the buildings and improvements thereon respectively at the date of the purchase of the estate by the Board.

(3.) If any such tenant is dissatisfied with his new holding, or refuses to enter into possession thereof he may within *four months*  
25 after he has been served with a notice stating that the Board are prepared forthwith to put him into possession thereof, apply to the county court within the jurisdiction of which the estate is situate, and that court may, subject to rules of court, hear and decide upon the application.

[Bill 255.]

A.D. 1901.

(4.) If where the tenant is dissatisfied with the new holding the Court decides that the value thereof is, in respect of any of the matters aforesaid, less than the value of the former holding, the Court may, after taking into account in connexion with such inferiority in value the rent payable for the new holding, and every 5 circumstance which the Court considers material, order such compensation as it may deem fit to be paid by the Board to the tenant, and, in addition, or as an alternative, may order the Board to erect such buildings, or make such other improvements on the holding, as the Court may think reasonable. 10

(5.) Where a tenant refuses to enter into possession of the new holding, the Court may order the payment to him by the Board of such sum as, in the opinion of the Court, is equal to the value of his interest in his former holding.

(6.) The county court may, upon application, order that such 15 charges, liabilities, and equities as affect the tenant's interest in his former holding shall either continue to affect that holding, or be transferred to his new holding.

(7.) Any decision of the county court under this section shall be final, and any notice under this section determining a tenancy may 20 be enforced by a writ of possession of the county court, but no such writ shall be executed in pursuance of this section in the case of any tenant until the Board certify to the sheriff that they are prepared forthwith to put such tenant into possession of his new holding. 25

(8.) Where a matter requiring the cognizance of the Court under this section arises in respect of an estate situate within the jurisdiction of more than one county court, the county court, within the jurisdiction of which the greater part in rateable value of the estate is situate, shall take cognizance of the matter. 30

(9.) Every notice under this section shall be served on the tenant affected thereby, either personally, or by leaving the same at his residence, or by transmitting the same by registered letter to his last known address.

(10.) The Court may award costs to or against any party to any 35 proceedings under this section, and in addition to any other power, may where of opinion that a reasonable offer for the payment of compensation, or the execution of any works has been made by the Board, order a tenant to pay any costs incurred by the Board after the date of the offer. Any costs ordered to be paid by a tenant 40 under this section may be deducted from any compensation payable to him thereunder.

(11.) Rules of court may regulate the practice and procedure under this section. A.D. 1901.

(12.) In this section the expression "estate" includes part of an estate.

- 5     2. The right to enter upon a holding during the continuance of a statutory term conferred on a landlord by subsection (5) of section five of the Land Law (Ireland) Act, 1881, for the purposes therein specified, is hereby conferred on the Congested Districts Board, and any person authorised by them in that behalf, in respect  
10 of any holding not subject to a statutory term which is situate upon land purchased by that Board, and for enforcing the right conferred by this section the Board shall have the like remedies as in the case of a holding subject to a statutory term.

Extension of  
44 & 45 Vict.  
c. 49 s. 5 (5)  
in case of  
land pur-  
chased by  
the Board.

- 15     3. Where the Congested Districts Board have, whether before or after the passing of this Act, purchased land elsewhere than in a congested districts county, the Lord Lieutenant may, if he thinks fit on the report of the Board by Order in Council, declare that for the purposes of this section the land shall be treated as part of such congested districts county as he may determine, and the Board shall  
20 thereupon have, with respect to that land, all the powers conferred on them by the Congested Districts Board (Ireland) Acts as amended by this Act.

Provision for  
exercise of  
powers by  
Board in  
respect of  
certain  
lands.

4.—(1.) This Act may be cited as the Congested Districts Board (Ireland) Act, 1901.

Short title  
and con-  
struction.

- 25     (2.) This Act shall be construed and may be cited with the Congested Districts Board (Ireland) Acts.

Congested Districts  
Board (Ireland).

---

A

B I L L

To amend the Congested Districts Board  
(Ireland) Acts.

(Prepared and brought in by  
*Mr. Wyndham and Mr. Attorney-General  
for Ireland*)

---

(Introduced by The House of Commons, to be Printed,  
8 July 1901.

---

PRINTED BY JAMES AND SPOTTISWOODE,  
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be printed, either directly or through any bookseller or  
printer, by the Stationers and Printers, at the  
Printers and Stationers, 25, Abchurch Lane, London, E.C. 4,  
and at all other places, by the Stationers, at  
Glasgow and York, Edinburgh, or  
at the Stationers, 25, Gresham Street, Dublin.

[Price 1*d*.]

[Bull 285.]